

City Council Introduction: **Monday**, November 27, 2000
Public Hearing: **Monday**, December 4, 2000, at **1:30 p.m.**

Bill No. 00-216

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 3289**, from R-2 Residential to R-3 Residential, requested by Ridge Development Company, Southview, Inc. and North Hills Limited Partnership, on property generally located at Folkways Drive and North 21st Street.

STAFF RECOMMENDATION: Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda, 11/15/00
Administrative Action: 11/15/00

RECOMMENDATION: Approval (8-0: Taylor, Krieser, Schwinn, Carlson, Duvall, Newman, Steward and Bayer voting 'yes'; Hunter absent).

FINDINGS OF FACT:

1. The Planning staff recommendation to approve this change of zone request is based upon the "Analysis" as set forth on p.3, concluding that the proposed change of zone is in conformance with the Comprehensive Plan. Impacts of this change of zone from R-2 to R-3 are minimal.
2. This application was placed on the Consent Agenda of the Planning Commission on November 15, 2000, and opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: November 20, 2000

REVIEWED BY: _____

DATE: November 20, 2000

REFERENCE NUMBER: FS\CC\FSCZ3289

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DATE: November 3, 2000

GENERAL INFORMATION:

North Hills Limited Partnership
3901 Normal Blvd., Suite 203
Lincoln, NE 68506

EXISTING LAND USE: Vacant

SURROUNDING LAND USE AND ZONING: To the south and southeast is residential development zoned R-2, to the east is Tabitha New Community CUP zoned R-2, and North Gate PUD zoned R-4, to the north is Autumn Ridge CUP zoned R-4, to the west is developing residential zoned R-3.

COMPREHENSIVE PLAN SPECIFICATIONS: Shown as Urban Residential in the 1994 Lincoln-Lancaster County Comprehensive Plan with scattered Wetland and Water Bodies to the south.

HISTORY: Converted from A-2 to R-2 Residential during the 1979 Zoning Update. North Hills Addition Final Plat was approved on **February 9, 2000**, and North Hills 1st Addition Final Plat was approved on **June 14, 2000**.

ANALYSIS:

1. To the west of the proposed site is R-3 Residential.
2. The proposed R-3 zoning district will allow the same uses as R-2 plus greenhouses, and extracting sand, gravel, and soil by special permit.
3. A single family lot in R-2 districts shall be a minimum of 6,000 square feet with 50' average lot width, 25' front yard setback, 5' side yard setback, smaller of 30' or 20% of depth for rear yard setback, and a maximum height of 35'.
4. A two-family lot in R-2 districts shall be at least 5,000 square feet per family with 40' average lot width per family, 25' front yard setback, 10' side yard setback, 0' if on party wall, smaller of 30' or 20% of depth for rear yard setback, and a maximum height of 35'.
5. Requirements for all other permitted uses in R-2 districts are the same as for single family lots.
6. General area and height requirements for uses in R-3 districts are the same as that in R-2 districts except for a 20' front yard setback for all permitted uses, and a 5' side yard setback for a two-family lot, 0' if on party wall. The average lot area in a CUP in R-3 districts shall be at least 5,000 square feet.

STAFF CONCLUSION: The proposed change of zone is in conformance with the Comprehensive Plan. Impacts of this change of zone from R-2 to R-3 are minimal.

STAFF RECOMMENDATION: Approval

Prepared by:

Ching-Yun Liang
Planner

CHANGE OF ZONE NO. 3289

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

November 15, 2000

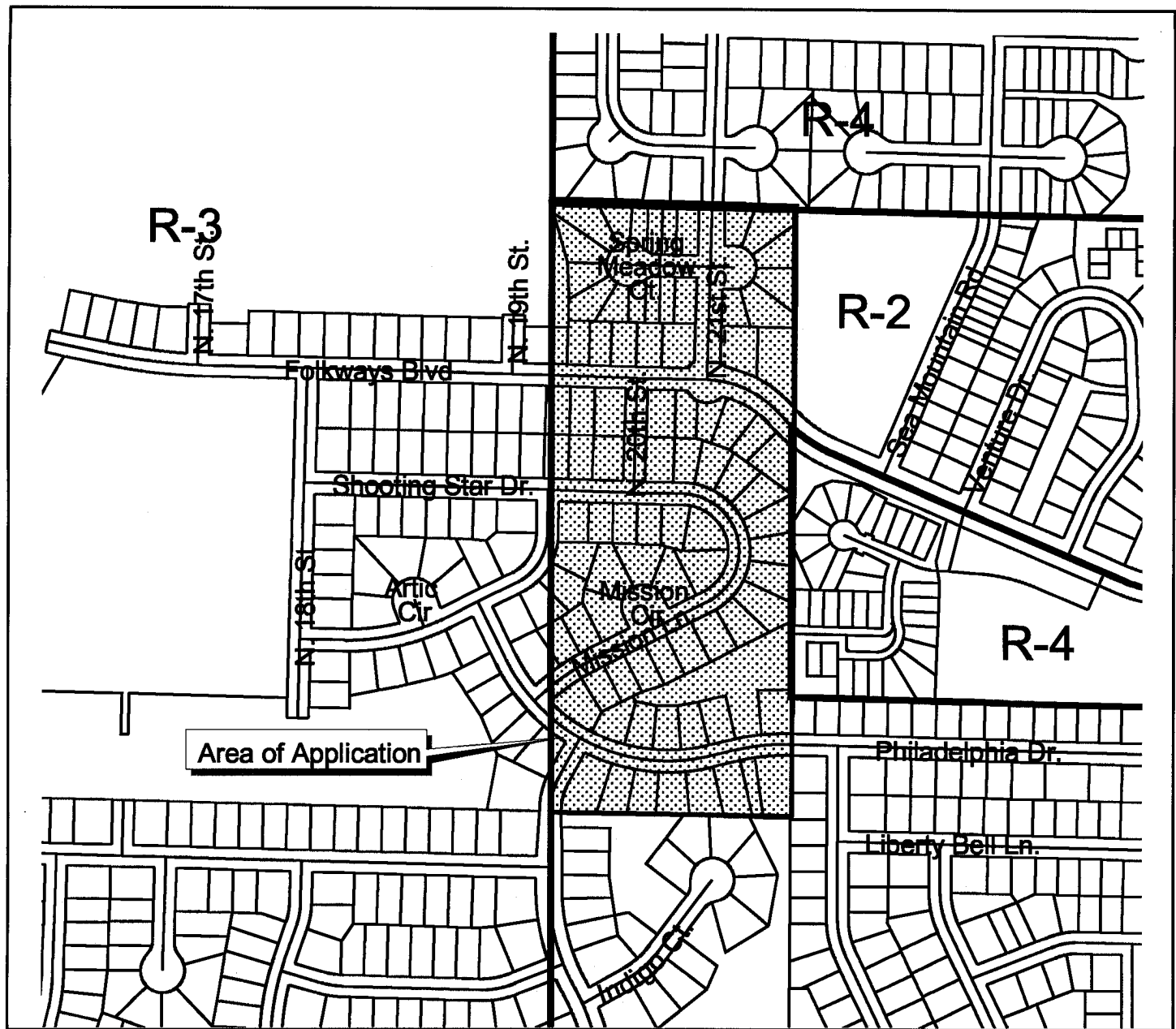
Members present: Bayer, Carlson, Duvall, Krieser, Newman, Taylor, Schwinn and Steward; Hunter absent.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 3289; SPECIAL PERMIT NO. 1875; SPECIAL PERMIT NO. 1885; FINAL PLAT NO. 99053, NORTHERN LIGHTS 8TH ADDITION; AND FINAL PLAT NO. 00034, SOUTH STREET BUSINESS PARK ADDITION.**

Nothing was removed from the Consent Agenda.

Newman moved to approve the Consent Agenda, seconded by Schwinn and carried 8-0: Bayer, Carlson, Duvall, Krieser, Newman, Taylor, Schwinn and Steward voting 'yes'; Hunter absent.

Note: This is final action on Special Permit No. 1875; Special Permit No. 1885; Northern Lights 8th Addition Final Plat No. 99053; and South Street Business Park Addition Final Plat No. 00034, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.

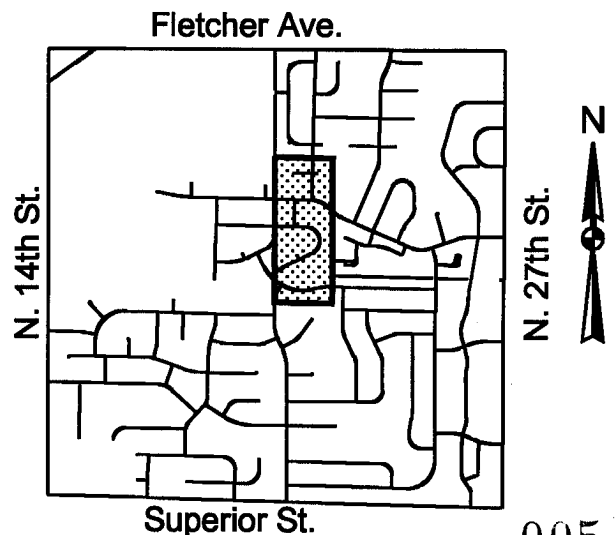
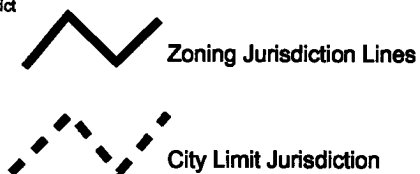


Change of Zone #3289 Folkways Dr. - N. 21st St.

Zoning:

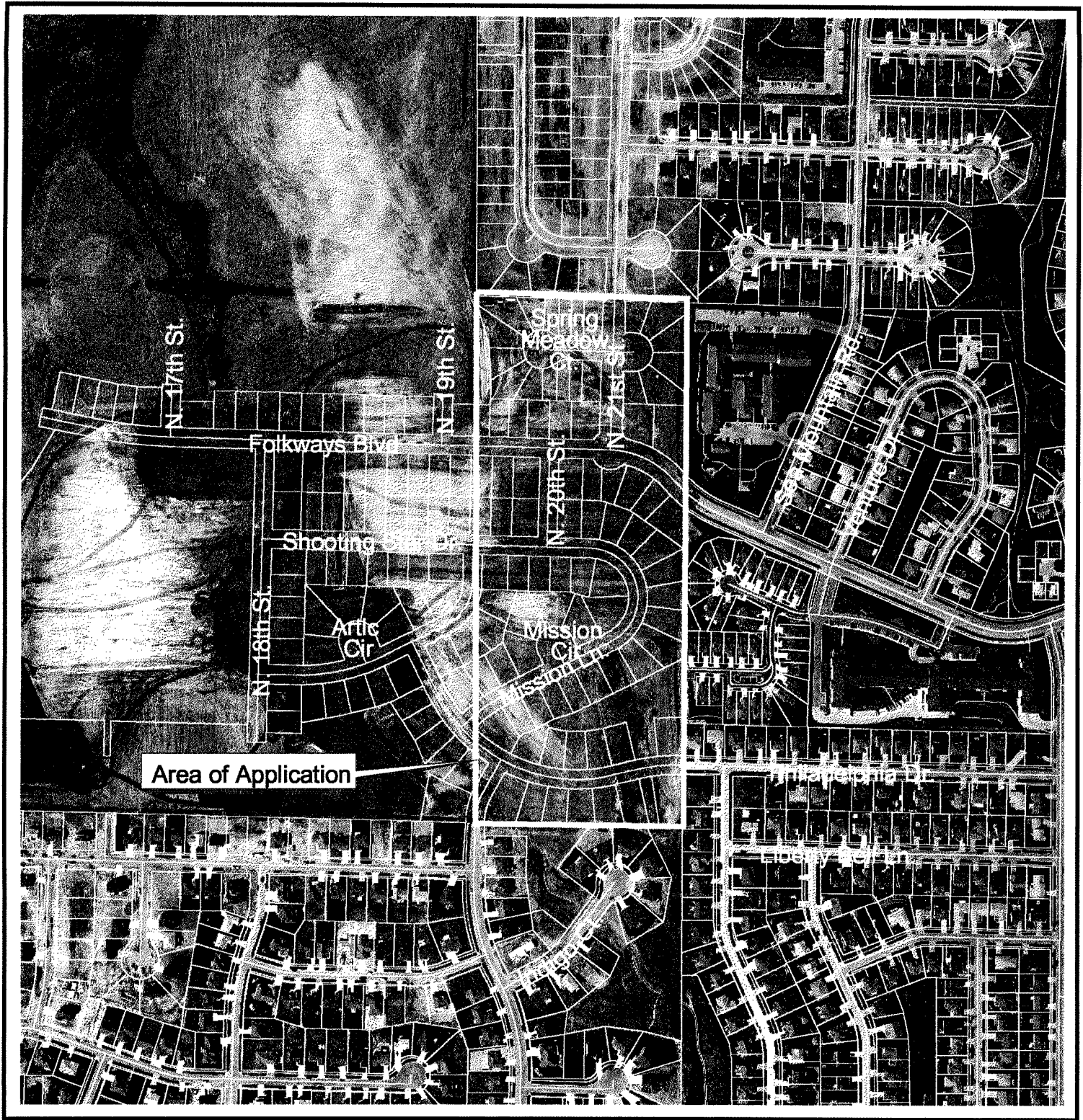
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 1 T10N R6E



Sheet 1 of 2
Date: November 6, 2000
Lincoln City - Lancaster County Planning Dept.

005



Change of Zone #3289
Folkways Dr. - N. 21st St.



Sheet 2 of 2

Date: November 6, 2000

Photograph Date: 1999 **006**

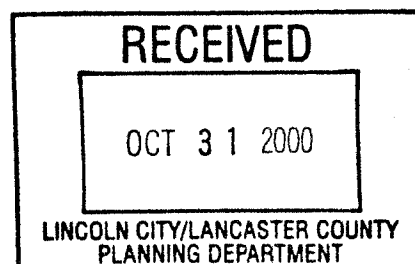
Lincoln City - Lancaster County Planning Dept.

LEGAL DESCRIPTION
CHANGE OF ZONE
(FROM "R-2" TO "R-3")

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOTS 1 THROUGH 8 BLOCK 3, LOTS 1 THROUGH 22 BLOCK 4, LOTS 24 THROUGH 29 BLOCK 4, LOTS 1 THROUGH 7 BLOCK 5, LOTS 3 THROUGH 12 BLOCK 7, LOTS 9 THROUGH 11 BLOCK 8, LOTS 2 THROUGH 20 BLOCK 2, OUTLOTS "B" AND "C", A PORTION OF LOT 1 BLOCK 2, A PORTION OF LOT 23 BLOCK 4, A PORTION OF LOT 4 BLOCK 6, A PORTION OF LOTS 1 AND 2 BLOCK 7, A PORTION OF LOT 8 BLOCK 8, ALL OF NORTH HILLS ADDITION, **TOGETHER WITH:** LOT 13 BLOCK 1, LOTS 1 THROUGH 3 BLOCK 3, A PORTION OF OUTLOT "A", A PORTION OF LOT 12 BLOCK 1, AND A PORTION OF LOTS 4 AND 5 BLOCK 3, ALL OF NORTH HILLS 1ST ADDITION, ALL LOCATED IN THE EAST HALF OF SECTION 1, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 15 BLOCK 2, NORTH HILLS ADDITION, SAID POINT BEING **THE TRUE POINT OF BEGINNING**, THENCE ON AN ASSUMED BEARING OF SOUTH 88 DEGREES 28 MINUTES 08 SECONDS EAST ALONG THE NORTH LINE OF SAID LOTS 15 THROUGH 20 BLOCK 2, AND THE NORTH LINE OF SAID LOTS 1 AND 2 BLOCK 3, ALL OF NORTH HILLS ADDITION, A DISTANCE OF 663.52 FEET TO THE NORTHEAST CORNER OF SAID LOT 2 BLOCK 3, NORTH HILLS ADDITION, THENCE SOUTH 00 DEGREES 02 MINUTES 19 SECONDS WEST ALONG THE EAST LINE OF SAID LOTS 2 THROUGH 5, AND LOT 8 BLOCK 3, LOTS 6, 12 THROUGH 15, OUTLOT "B", AND LOT 29 BLOCK 4, AND LOT 7 BLOCK 5, ALL OF NORTH HILLS ADDITION, A DISTANCE OF 1657.31 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7 BLOCK 5, NORTH HILLS ADDITION, THENCE NORTH 88 DEGREES 29 MINUTES 42 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOTS 7 THROUGH 1 BLOCK 5, AND OUTLOT "C", ALL OF NORTH HILLS ADDITION, A DISTANCE OF 661.89 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 1, THENCE NORTH 00 DEGREES 00 MINUTES 07 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 330.34 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER, THENCE NORTH 00 DEGREES 01 MINUTES 16 SECONDS WEST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 1, A DISTANCE OF 1327.31 FEET TO THE TRUE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 25.20 ACRES, OR 1,097,970.62 SQUARE FEET MORE OR LESS.

October 30, 2000 (3:36PM)
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SEACREST & KALKOWSKI, P.C.

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E-MAIL: sk@sklaw.inetnebr.com

KENT SEACREST
DANAY KALKOWSKI

October 19, 2000

HAND DELIVERY

Kathleen Sellman
Planning Director
County-City Building
555 South 10th Street
Lincoln, NE 68508

RE: North Hills Change of Zone

Dear Kathleen:

Our office represents Ridge Development Company, Southview, Inc. and North Hills Limited Partnership ("Property Owners"). Enclosed please find a Petition to Amend the Zoning Ordinance on behalf of the Property Owners which requests a change of zone from R-2 to R-3 on that portion of the property located within the North Hills Subdivision that is legally described and shown on Exhibit "A" enclosed herein (the "Property"). The remaining residential portion of the North Hills Subdivision abutting the west side of the Property is zoned R-3. Consequently, this change of zone will allow the entire residential subdivision to be zoned R-3 and provide consistency and uniformity for the development. The Property is bounded by R-3 zoned property to the west, R-4 zoned property to the north and a portion of the east, and R-2 zoned property to the south and remaining portion of the east. Also enclosed is the application fee in the amount of \$290.00.

Thank you for your consideration of this request. If you have any questions, please feel free to give me a call.

Very truly yours,


DANAY KALKOWSKI

For the Firm

Enclosure
cc w/encl:

Tom White
John Brager
Jerry Schleich

